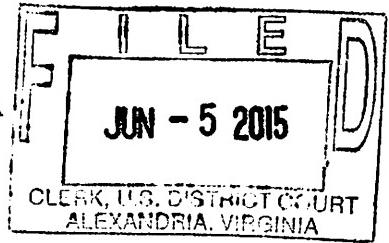


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division



LESLIE G. JOHNSON, :
: Plaintiff,
: v. : Civil Action No. 1:15cv715-TSE/MSN
: PRA GROUP, INC. f/k/a PORTFOLIO :
RECOVERY ASSOCIATES, INC., :
: Serve: Judith Sugg Scott, Registered Agent :
120 Corporate Boulevard, Suite 100 :
Norfolk, VA 23502 :
Defendant. :

COMPLAINT

COMES NOW the Plaintiff, Leslie Johnson ("Ms. Johnson" or "Plaintiff"), by counsel, and for her Complaint against the Defendant, she alleges as follows:

PRELIMINARY STATEMENT

1. This is an action for actual, statutory and damages, costs and attorney's fees brought against the Defendant, PRA Group, Inc. f/k/a Portfolio Recovery Associates, LLC ("PRA"), for violating the Fair Debt Collection Practices Act ("FDCPA"). In particular, PRA violated the FDCPA by falsely and deceptively claiming that it obtained a judgment against her. PRA never obtained any such judgment against Ms. Johnson and each of PRA's communication sought to collect a purported judgment amount.

2. Ms. Johnson further alleges that PRA violated the FDCPA by seeking to collect interest, fees or other charges in excess of the amount charged off by the original creditor, Capital One. Upon information and belief, the agreement(s) between Capital One and PRA only allowed recovery of the charge off balance and not post-charge interest or fees. Thus, Ms. Johnson alleges

that PRA violated the FDCPA through its attempt or collection of any amounts (including interest, fees, penalties or other charges) not permitted by PRA's agreement with Capital One or by law.

JURISDICTION

3. This Court has jurisdiction pursuant to 28 U.S.C. § 1331 and 15 U.S.C. § 1681(p).

PARTIES

4. Plaintiff is a natural person residing in Virginia, and at all times relevant to the Complaint was a "consumer" as defined by 15 U.S.C. §1681a(c).

5. Upon information and belief, PRA Group, Inc. f/k/a Portfolio Recovery Associates, LLC ("PRA") is a corporation organized under the laws of Delaware and whose sole purpose is the collection of consumer debts. At all times relevant hereto, PRA was a "debt collector" as governed by the FDCPA.

FACTS

6. In October 2009, PRA sued Ms. Johnson in the Alexandria General District Court for a credit card debt incurred for personal, family or household purposes.

7. On or around December 8, 2009, the lawsuit was dismissed.

8. Nevertheless, on or January 29, 2015, PRA sent a letter to Ms. Johnson, which stated: "[a]s you are probably aware, Portfolio Recovery Associates, LLC obtained a judgment against you on 12/08/2009. This obligation has a remaining amount of \$3,794.79. . . You can save up to \$1,134.79 off of the judgment amount by resolving your obligation no later than 03/05/2015."

9. PRA's representations were false, deceptive and material—PRA never obtained a judgment against Ms. Johnson.

10. Moreover, PRA's communications with Ms. Johnson unlawfully sought to collect interest, fees or other charges in excess of the amount charged off by the original creditor, Capital One.

11. Upon information and belief, the agreement(s) between Capital One and PRA only allowed recovery of the charge off balance and not post-charge interest or fees.

12. Accordingly, Ms. Johnson PRA violated the FDCPA through its attempt or collection of any amounts (including interest, fees, penalties or other charges) not permitted by PRA's agreement with Capital One or by law.

PRA is a Debt Collector

13. PRA is a debt collection company whose practice is focused on the collection of debts.

14. PRA regularly collects consumer debts.

15. PRA regularly demands payment from consumers of claimed delinquencies and acquires delinquent consumer accounts for the sole purpose of collecting the underlying debt.

16. PRA regularly tell consumers in correspondence that "this is an attempt to collect a debt and any information obtained will be used for that purpose" and/or that the communication is from a debt collector, the disclosures that the FDCPA, at 15 U.S.C. § 1692e(11), requires that debt collectors provide in all written communications (other than a formal pleading) sent "in connection with the collection of any debt" ("the § 1692e(11) disclosure"). Each of its letters did so as to the Plaintiff.

17. PRA regularly attempts to provide the verification of debts required by the FDCPA, at 15 U.S.C. § 1692g, upon written request from consumers.

**COUNT ONE: VIOLATION OF FAIR DEBT COLLECTION PRACTICES ACT
(Violation of 15 U.S.C. § 1692e)**

18. Plaintiff realleges and incorporates all other factual allegations set forth in the Complaint.

19. PRA violated 15 U.S.C. § 1692e, e(2) and/or e(10) through its false, deceptive, and misleading conduct, including but not limited to: by falsely indicating that PRA obtained a judgment against Plaintiff and through its attempt to collect amounts not permitted by the underlying agreement or law.

20. As a result, Plaintiff is entitled to recover statutory damages, actual damages, reasonable attorney's fees, and costs against Defendant pursuant to 15 U.S.C. § 1692k.

**COUNT TWO: VIOLATION OF FAIR DEBT COLLECTION PRACTICES ACT
(Violation of 15 U.S.C. § 1692f)**

21. Plaintiff realleges and incorporates all other factual allegations set forth in the Complaint.

22. PRA violated 15 U.S.C. § 1692f, including but not limited through its attempt to collect amounts not permitted by law or the underlying agreement.

23. As a result, Plaintiff is entitled to recover statutory damages, actual damages, reasonable attorney's fees, and costs against Defendant pursuant to 15 U.S.C. § 1692k.

WHEREFORE, the Plaintiff demands judgment for compensatory, statutory, and punitive damages against the Defendant; for her attorneys' fees and costs; for pre-judgment and post-judgment interest at the legal rate, and such other relief the Court deems just, equitable, and proper.

TRIAL BY JURY IS DEMANDED.

Respectfully submitted,
LESLIE G. JOHNSON

By: Andrea J. Hays
Of Counsel

Kristi Cahoon Kelly, VSB#72791

Andrew J. Guzzo, VSB #82170
KELLY & CRANDALL, PLC
4084 University Drive, Suite 202A
Fairfax, Virginia 22030
(703) 424-7576 Telephone
(703) 591-9285 - Facsimile
E-mail: kkelly@kellyandcrandall.com
E-mail: aguzzo@kellyandcrandall.com

Counsel for Plaintiff